

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
Amendment of Section 73.202(b),) MM Docket No. 99-72
Table of Allotments,) RM-9323
FM Broadcast Stations)
(Cedar Key, Florida)

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TO: Magalie Roman Salas, Secretary
for direction to
John A. Karousos, Chief
Allocations Branch, Policy and Rules Division
Mass Media Bureau

APR 26 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

COMMENTS AND COUNTERPROPOSAL
OF DICKERSON BROADCASTING, INC.

1. Dickerson Broadcasting, Inc. ("DBI") hereby submits its Comments and Counterproposal in response to the Notice of Proposed Rule Making ("NPRM"), released March 5, 1999, in the above-docketed proceeding. As set forth below, DBI has no objection to the allotment of a new FM channel to Cedar Key. For reasons set forth below, however, DBI proposes the allotment to Cedar Key of an alternate channel (Channel 261) instead of the channel (Channel 244A) which is specified in the NPRM.

2. On March 2, 1998, DBI filed Comments and Counterproposal in MM Docket No. 97-252. In that proceeding the Commission had proposed the allotment of Channel 243A as a new FM channel to Columbia City, Florida. In its timely Comments and Counterproposal, DBI counterproposed that Channel 243C3 instead be allotted to Cross City, Florida. DBI's counterproposal is still pending.

3. The allotment proposed in the above-captioned proceeding -- i.e., Channel 244A to Cedar Key -- would be short-spaced to DBI's Columbia City counterproposal. See Attachment A hereto

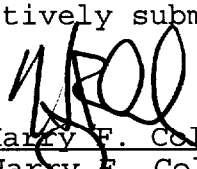
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List A B C D E

(Engineering Statement of Edward A. Schober, P.E.). The short-spacing, however, can easily be avoided by the substitution of Channel 261 for Channel 244A in Cedar Key. Id. Channel 261A would present no conflict with any other actual or proposed allotment. Moreover, Channel 261 could be allotted as a Class C3 allotment, affording considerably greater facilities and, therefore, coverage, if it were made subject to a routine site restriction. Id.

4. The allotment of Channel 261 thus appears to be significantly more desirable than Channel 244A. Allotment of Channel 261 would permit service at least equal to, and potentially far greater than, the service which would be possible on Channel 244A, and the allotment of Channel 261 would permit the Commission to avoid a short-spacing conflict with a previously filed, currently pending allotment proposal.

5. For the foregoing reasons, Dickerson Broadcasting, Inc. proposes that Channel 261 (either as a Class A or as a site-restricted Class C3 channel) be substituted for Channel 244A in the above-captioned proceeding and allotted to Cedar Key, Florida.

Respectively submitted,


/s/ Harry F. Cole
Harry F. Cole

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Counsel for Dickerson Broadcasting, Inc.

April 26, 1999

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Engineering Statement

in support of
Comments and Counterproposal to
FCC MM Docket 99-72

Notice of Proposed Rulemaking
to Amend FCC Rules and Regulations 47CFR § 73.202
to allocate Channel 244A
to Cedar Key, FL

This statement is prepared on
behalf of Dickerson Broadcasting, Inc.

Jeffrey Mark Tillery has filed a proposal in FCC MM Docket 99-72 to allocate channel 257A to Cedar Key, FL. In order to resolve a conflict with a proposal in FCC MM Docket 99-73 which proposes to allocate channel 257A to Gulf Hammock, FL, the FCC has proposed substituting channel 244A to Cedar Key, FL in lieu of the requested channel 257A.

The proposed coordinates of the Cedar Key allocation conflict with the allocation of channel 243C3 to Cross City, FL as proposed by Dickerson Broadcasting, Inc. in its counterproposal in FCC MM Docket 97-252. This conflict arises because the distance between the proposed site at Cedar Key and the proposed site at Cross City is only 69.5 km. The required spacing for first adjacent A - C3 stations is 89 km in table A of section 73.207(b)(1) of the FCC rules.

The originally proposed allocation in MM Docket 99-72 of channel 257A to Cedar Key, FL has no spacing conflict with the Dickerson Broadcasting, Inc. counterproposal.

If the Cedar Key proposal was changed to channel 261A there would be no conflict with

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the Dickerson Broadcasting, Inc. counterproposed allocation site in Docket MM 97-252. This channel is clear spaced at the proposed coordinates as shown below:

MAPFM search of channel 261A6 (100.1 MHz), at N. 29 8 12, W. 83 2 6.

Searching Channel 261A6 (100.1 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Palatka	FL	260	C	U	172.1	165.0	75.8°	7.1
WFKS	Palatka	FL	260	C	L	172.1	165.0	75.8°	7.1
ALC	Orlando	FL	262	C	U	198.5	165.0	107.4°	33.5
WSHE	Orlando	FL	262	C	L	198.5	165.0	107.4°	33.5
ALC	Newberry	FL	263	C3	U	64.0	42.0	25.9°	22.0
WBXY	Newberry	FL	263	C3	L	81.2	42.0	22.9°	39.2

As an alternative to allocating channel 261A at the proposed coordinates, channel 261C3 can be allocated to Cedar Key with a site restriction of 18.6 km northwest of Cedar Key at Coordinates of North 29° 18' 0" and West 083° 6' 50". The allocations study is shown below:

MAPFM search of channel 261C3 (100.1 MHz), at N. 29 18 0, W. 83 6 50.

Searching Channel 261C3 (100.1 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Palatka	FL	260	C	U	176.1	176.0	82.1°	0.0
ALC	Lafayette	FL	260	C2	U	143.8	117.0	320.9°	26.8
WFKS	Palatka	FL	260	C	L	176.1	176.0	82.1°	0.0
WWFO	Lafayette	FL	260	C2	L	144.4	117.0	323.7°	27.4
ALC	Orlando	FL	262	C	U	211.6	176.0	111.4°	35.6
WSHE	Orlando	FL	262	C	L	211.6	176.0	111.4°	35.6
ALC	Newberry	FL	263	C3	U	53.1	43.0	42.1°	10.1
WBXY	Newberry	FL	263	C3	L	69.0	43.0	34.7°	26.0

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There are no terrain obstructions between this location and Cedar Key. The 70 db μ V F(50,50) contour of a class C3 station built at this site extends more than 23 km, easily encompassing Cedar Key.

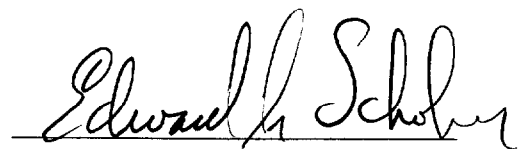
If channel 261C3 were allotted to Cedar Key, FL there would be no conflict with the the Dickerson Broadcasting, Inc. counterproposed allocation site in Docket MM 97-252.

Engineer's Statement

This is to certify that this report has been prepared by myself, or under my direction. It is correct and accurate of my own knowledge, except where stated otherwise, and where this is so, the information is correct to the best of my knowledge and belief.

I further certify that I am a Licensed Professional Engineer in the State of New Jersey, and the Commonwealth of Pennsylvania, with a BSEE degree from the Newark College of Engineering of NJIT, and that I am regularly engaged in the practice of radio engineering with the firm of Radiotechniques Engineering Corporation, with offices at 402 Tenth Avenue, Haddon Heights, NJ. I am a member of the AFCCE, senior member of the IEEE, and SBE, and hold an FCC General Radiotelephone Operator License, and am Certified as a Senior Broadcast Engineer by the SBE. My qualifications are a matter of record with the FCC.

Date: April 13, 1999



Edward A. Schober, PE


(Seal)

CERTIFICATE OF SERVICE

I, Harry F. Cole, hereby certify that on this 26th day of April, 1999, I caused copies of the foregoing "Comments and Counterproposal of Dickerson Broadcasting, Inc." to be placed in the U.S. Postal Service, first class postage prepaid, or hand delivered (as indicated below), addressed to the following persons:

Kathleen Scheuerle
Allocations Branch
Mass Media Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554
(By Hand)

Jeffrey Mark Tillery
2104 Southwest 42nd Avenue
Ocala, Florida 34474



/s/ Harry F. Cole
Harry F. Cole